

## **REMARKS**

Careful consideration has been given by the applicants to the Examiner's comments and rejection of the claims, as set forth in the outstanding Office Action, and favorable reconsideration and allowance of the application, as amended, is earnestly solicited.

Applicants note the Examiner's formal grounds of rejection of Claim 13 and appropriate amendatory action has been taken to correct the terminology in that regard. This, in effect, should render moot the formal ground of rejection also with regard to the dependent claims, Claims 14-16.

Furthermore, applicants note the Examiner's rejection of the claims under 35 U.S.C. §103(a), as being allegedly unpatentable over Darbee, et al., U.S. Patent No. 6,130,726, as previously cited, and Donnelly, U.S. Patent No. 6,460,181 B1, as previously cited and as extensively detailed in the Office Action.

However, upon careful consideration of the art and the grounds of rejection, applicants respectfully submit that neither of these publications, irrespective as to whether they are considered singly or in combination, are capable of providing the type of function and operation, as set forth by the present inventive digital broadcast system.

In particular, applicants reiterate the arguments, as previously submitted, in addition to the foregoing, note that none of the publications cite or suggest a structure which will facilitate the basic concept of the present invention, which comprises that EPG information is received from a digital broadcast receiver, and wherein a program is selected, which is predicated or based on the EPG data information, which has been received from the digital broadcast receiver.

This type of operation, which is rendered possible by the inventive digital broadcast receiving system, advances the technology a significant step further by the further capability of permitting or allowing the EPG data, which is received from the digital broadcast receiver, to facilitate the selection of a program, which is based upon the EPG data information that has been received.

Although, in general, the prior art discloses basic concepts of utilizing a digital broadcast receiver and the transmission of EPG data, there is neither capability nor suggestion of the particular further function, as provided for by the present invention, enabling the EPG data information which had been received to facilitate the selection of a program.

To the contrary, none of the publications, as cited by the Examiner, nor those known to the applicants, possess that particular feature, which is now clearly and unambiguously emphasized in the amended claims being presented for the Examiner's consideration.

With regard to the remaining structure and function of the art, this has been fully discussed in response to the previous Office Actions and no further comments are required in that regard, particularly in view of the claims having been amended to incorporate the further limitation, as clearly supported by the specification, and which is not in any manner found in the technology.

In view of the foregoing comments and amendments, which are deemed to be fully responsive to the outstanding Office Action, and wherein the claims are considered to be directed to clearly allowable subject matter, the early and favorable reconsideration of the application by the Examiner and issuance of the Notice of Allowance is earnestly solicited.

However, in the event that the Examiner has any queries concerning the instantly submitted Amendment, applicants' attorney respectfully requests that he be accorded the courtesy of possibly a telephone conference to discuss any matters in need of attention.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Leopold Presser', written over the typed name.

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